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MAR 31 1997

Federal Communications Commission
Office of Secretary

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March 31, 1997

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M St., NW
Washington, D.C. 20554

BY HAND

Re: MM Docket No. 95-176

Dear Mr. Caton:

On behalf of my client, the National Association of Collegiate Directors of Athletics, I hereby submit an original and four copies of Reply Comments in MM Docket No. 95-176, relating to Closed Captioning of Video Programming.

Should you have any questions, please communicate directly with the undersigned.

Sincerely,


Philip R. Hochberg

enc.
05943.0002

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Federal Communications Commission
Office of Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Closed Captioning and Video)
Description of Video Programming)
)
Implementation of Section 305 of)
the Telecommunications Act of 1996)
)
Video Programming Accessibility)

MM Docket No. 95-176

REPLY COMMENTS OF
NATIONAL ASSOCIATION OF COLLEGIATE
DIRECTORS OF ATHLETICS

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Before the
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Federal Communications Commission
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In the Matter of)
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REPLY COMMENTS OF
NATIONAL ASSOCIATION OF COLLEGIATE
DIRECTORS OF ATHLETICS

COMES NOW, the National Association of Collegiate Directors of Athletics ("NACDA") and files the instant Reply Comments in the Notice of Proposed Rulemaking (MM Docket No. 95-176), adopted January 9, 1997.

NACDA supports the position reflected in the Comments of Fox Sports Net, LLC ("Fox"). Fox points out at pages 5-8 the cost of closed captioning which, on a International Hockey League game, would come to nearly \$2.00 per viewing household. Even many Division I Men's Basketball games -- to say nothing of other college sports -- draw very small audiences. The cost therefore of captioning these events will lead to a lessening of the numbers of events carried. The net effect will be less local events.

The Comments of the National Collegiate Athletic Association, the University of Akron, and Ball State University are particularly instructive. While it might be easiest to focus on national network Football or Basketball packages, simply to lump all collegiate events together is to ignore reality.^{1/} The damage will be immense to college telecasting and cablecasting by imposing a substantial financial burden on them.

The Commission must recognize that college sports play a vital programming role in the expanding sports marketplace. Unfortunately, this so often is a supplementary role. For example, one Regional Sports Network -- Home Team Sports -- carried 188 college events in 1996.^{2/} These included Men's Basketball^{3/} from a variety of smaller conferences: the Colonial Athletic Conference, the Big South, the Mid Eastern Athletic Conference, the Central Intercollegiate Athletic Conference and the Northeast Conference, as well as Women's Basketball, Gymnastics, Soccer, Lacrosse, Baseball (and High School events) -

1/ Less than 12% of the college basketball games on television and cable are national networks. In the current season, a total of 415 games are on national television and national cable networks, while 3106 were on local stations and Regional Sports Networks. Of these, 948 were women's contests. Media Sports Business, Feb. 28, 1997, at 8-9.

2/ Conferences with Retha Capers, Senior Program Manager, Home Team Sports, March 13 and 26, 1997.

3/ Home Team Sports carried more Men's Basketball than any other Regional Sports Network. Supra note 1, at 9.

- none of which could support, on the basis of audience or revenue, the increased closed captioning charges of up to \$1200 per hour.

Moreover, given that the vast numbers of telecasts and cablecasts are of lesser games, the burden should not be placed on collegiate interests to seek waivers, but should be a general waiver running to, as NACDA has suggested, all collegiate sports programs aired on distribution systems other than national systems.

If not, the "tail" of closed captioning, as NACDA stated in its Comments, will be wagging the "dog" of collegiate telecasting and cablecasting.

NACDA again urges the Commission to adopt a two-pronged proposal in dealing with collegiate sports:

(a) No collegiate sports programs aired on distribution systems other than national systems (e.g., national television networks and national cable networks) should be subject to the closed captioning rules; and

(b) Any collegiate sports programs which in fact are subject to the closed captioning rules should not be required to be captioned until the end of whatever phase-in period is adopted.

Respectfully Submitted,

NATIONAL ASSOCIATION OF COLLEGIATE
DIRECTORS OF ATHLETICS


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